

UNITED STATES DISTRICT COURT
for the
Eastern District of Tennessee

United States of America)	
v.)	
)	Case No. 3:20-MJ- <u>1075</u>
CARLOS HUMBERTO PAREDES)	
)	
)	

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 21, 2020, April 27, 2020, May 6, 2020 in the county of Anderson in the
Eastern District of Tennessee, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 § 922(g)(1)	Felon in possession of firearms and ammunition.

This criminal complaint is based on these facts:

Please see the affidavit of ATF Special Agent Matthew Ernst which is attached hereto and fully incorporated herein.

Continued on the attached sheet.

Complainant's signature

Matthew Ernst, ATF Special Agent

Printed name and title

Judge's signature

Debra C. Poplin, United States Magistrate Judge

Printed name and title

Date: 05/08/2020

City and state: Knoxville, TN

3:20-MJ-1075

AFFIDAVIT

Comes now your Affiant, Special Agent Matthew Ernst of the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), first being duly sworn, now deposes and says:

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (hereinafter "ATF"). As such, I am "an investigator or officer charged by the Attorney General with the duty of enforcing any of the criminal, seizure, or forfeiture provisions of the laws of the United States," within the meaning of Section 3051(a) of Title 18, United States Code; that is, an officer of the United states who is empowered by law to conduct investigations of, execute warrants and to make arrests for offenses against the United States and offenses enumerated in United States Code Title 18 and Title 21. I have been employed with the ATF since January 2015, and have been assigned to the Knoxville Field Office, under the Nashville Field Division. I completed Criminal Investigative Training and Special Agent Basic Training at the Federal Law Enforcement Training Center. I have received training on in connection with, and conducted investigations of violations of the National Firearms Act, Gun Control Act, and Title 18, United States Code, Sections 922(g), 924(c) and others. I have also received training and conducted investigations involving illicit drugs and the distribution of illicit drugs in violation of Title 21, United States Code, Sections 841, 843, 846 and others. As a result of those investigations and prosecutions, I have become familiar with the various tendencies and techniques utilized by individuals unlawfully in possession of firearms and ammunition as well as individuals unlawfully engaging in narcotics trafficking.

The statements in this Affidavit are either known personally, or have been told to me directly by law enforcement officers with the 7th Drug and Violent Crime Task Force (DVCTF).

2. Since this Affidavit is being submitted for the limited purpose of securing an arrest warrant for CARLOS HUMBERTO PAREDES (“PAREDES”), your Affiant has not included each and every fact known concerning this investigation. Your Affiant has set forth only the facts that are necessary to establish probable cause:

On April 21, 2020, at approximately 6:40 p.m., Agents with the DVCTF responded a shots fired call at a property located at 133 Yarnell Road, Clinton, Anderson County, Tennessee, which your Affiant knows is located in the Eastern District of Tennessee. A Clinton Police Department (CPD) K-9 Officer also responded to the call. After paraphernalia, scales, baggies and suspected narcotics were found in a container just outside of two vehicles parked at that address, the K-9 was deployed and alerted on both vehicles. During the search of one of the vehicles, the red mustang, Agents and Officers found loaded AR style magazines (loaded with .223 ammunition), digital scale, small baggies, assorted ammunition and suspected Fentanyl patches.

3. During the investigation, Agents found that PAREDES was on state probation. PAREDES waived his *Miranda* rights and was interviewed. PAREDES admitted to being a previously convicted felon. PAREDES also admitted that he had a firearm that he hid inside the residence. PAREDES admitted that before hiding the firearm that he unloaded it and put the round of ammunition that was in the chamber in the driver’s seat of the red mustang. PAREDES also admitted to shooting the firearm earlier in the day. The firearm

recovered from PAREDES is described as: a .223 caliber Ruger rifle bearing serial number 857-06228.

4. On April 27, 2020, at approximately 10:45 p.m., CPD Officers responded to a disturbance call at the property located at 133 Yarnell Road, Clinton, Anderson County, Tennessee. CPD Officers made contact with PAREDES who was sitting in the red Ford Mustang (same vehicle involved in the incident on April 21, 2020). PAREDES had a female with him in the vehicle. While the CPD Officer was talking to PAREDES, he smelled marijuana coming from the vehicle. When the Officer asked PAREDES to step out of the vehicle, he heard a metal on metal sound when PAREDES bent over before exiting the driver's seat. The Officer asked PAREDES if there was a firearm in the vehicle and PAREDES replied that there might be under the driver's seat. Officers then recovered an unloaded firearm from under the driver's seat of the vehicle. The firearm recovered is described as: a .45 caliber Springfield Armory pistol bearing serial number US748863.

5. Due to the odor of marijuana coming from the vehicle, PAREDES and his female passenger were asked if there were any drugs in the vehicle. The female admitted to having a marijuana joint which she gave to the Officer. The vehicle was searched and the Officer found a blue and black lunch box that contained approximately 72 grams of suspected marijuana, approximately 281 doses of suspected xanax, approximately 22.47 grams of suspected methamphetamine, small baggies, a digital scale, and two prescription bottles labeled to PAREDES. Two boxes of .223 caliber ammunition were also found in the vehicle.

6. Agents with the DVCTF arrived on scene to assist in the investigation. PAREDES waived his *Miranda* Rights and was interviewed. PAREDES stated that the owner of the

vehicle told him there was a firearm in the vehicle and he did not know about the narcotics inside. DVCTF Agents interviewed the owner of the vehicle. The vehicle owner stated that PAREDES was in the process of buying the vehicle and that PAREDES has had the vehicle since April 10, 2020. The vehicle owner also stated that the vehicle was cleaned before he gave it to PAREDES and he, the vehicle owner, had no property in the vehicle.

7. On May 6, 2020, at approximately 11:08 p.m., Oak Ridge Police Department (ORPD) Officers were notified of a stolen vehicle. ORPD Officers observed the stolen vehicle at 417 South Illinois Road, Oak Ridge, Anderson County, Tennessee, which your Affiant knows is located in the Eastern District of Tennessee. A male occupant of the stolen vehicle was talking to an occupant of a red Ford Mustang, later identified as PAREDES. The two vehicles were parked next to each other. The Mustang was the same vehicle from the prior involvements with PAREDES on April 21, 2020 and April 27, 2020.

8. During the investigation of the stolen vehicle, suspected narcotics were found on the suspect. Due to the behavior of the suspect and PAREDES, a narcotics K-9 was deployed. While sniffing the exterior of PAREDES' vehicle, the K-9 alerted to the odor of narcotics. Officers searched the vehicle and found approximately 3.2 ounces of suspected crystal methamphetamine, approximately 49 xanax bars, 44 suspected MDMA pills, approximately 5 grams of suspected marijuana, digital scales and PAREDES' driver's license in a metal box. Officers also found a firearm in the truck of the vehicle. The firearm recovered is described as a .38 caliber ROHM revolver bearing serial number 124446.

9. Agents with the DVCTF assisted in the investigation. PAREDES waived his *Miranda* Rights and was interviewed. PAREDES admitted that he sold methamphetamine to the suspect in the stolen vehicle. When asked about the firearm, PAREDES stated that

he forgot that the firearm was in his bag. During the interview, PAREDES told the Agent that he knew he was prohibited from possessing firearms since 2015 when he was convicted of his first Domestic Assault charge. PAREDES also admitted that the narcotics in the vehicle were his.

10. Special Agent Kristin Pyle of the Bureau of Alcohol, Tobacco, Firearms and Explosives examined photographs of all three firearms and made an interstate nexus determination. SA Pyle found that all of the firearms recovered from PAREDES on April 21, 2020, April 27, 2020 and May 6, 2020 had moved in or affected interstate or foreign commerce. SA Pyle also determined that all three firearms were designed to or may readily be converted to expel a projectile by the action of an explosive.

11. Your Affiant has reviewed PAREDES criminal history and verified PAREDES' prior felony conviction for: Schedule VI Drugs: MFG, DEL, SELL, POSS, Knox County Criminal Court, Tennessee, Case number 117084, and sentenced on his conviction on or about February 10, 2020. Your Affiant has also verified PAREDES' prior misdemeanor convictions for: Domestic Assault 2nd Offense, Knox County Court, Tennessee, Case number 1167216, and sentenced on his conviction on or about November 3, 2016; and Domestic Violence, Knox County Court, Tennessee, Case number 1128591, and sentenced on his conviction on or about November 16, 2015. These misdemeanors of domestic assault and domestic violence would also make PAREDES prohibited from possession of firearms.

12. Based upon the above information, your Affiant has probable cause to believe that Carlos PAREDES committed the offense of being a felon in possession of a firearm, on or

about April 21, 2020, April 27, 2020 and May 6, 2020 in violation of 18 U.S.C. § 922(g)(1).

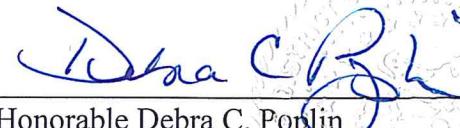
The foregoing facts are true to the best of your Affiant's knowledge and belief.

Further your Affiant sayeth naught.



Matthew Ernst
ATF Special Agent

Subscribed and sworn to before me, this 8th day of May, 2020.



Honorable Debra C. Poplin
Magistrate Judge
United States District Court